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BEFORE THE  
FEDERAL ELECTION COMMISSION

In the Matter of  
China Airlines, Ltd.

MUR 4594

RESPONSE OF CHINA AIRLINES, LTD. TO  
SUBPOENA TO PRODUCE DOCUMENTS AND  
ORDER TO SUBMIT WRITTEN ANSWERS

Respondent China Airlines, Ltd. ("CAL") responds as follows to the Federal Election Commission's Subpoena To Produce Documents and Order To Submit Written Answers.

GENERAL OBJECTIONS, INCLUDING OBJECTIONS  
TO INSTRUCTIONS AND DEFINITIONS

1. CAL objects to the fourth paragraph of the instructions, which requires that CAL set forth the identification of "each person capable of furnishing testimony concerning the response given . . ." The instruction is overly broad, unduly burdensome, oppressive, and vexatious. Further, as set forth below, CAL objects to the use in this instruction of the term "person" as defined by the Federal Election Commission.

2. CAL objects to the seventh paragraph of the instructions, which indicates that the discovery requests shall refer to the time period January 1, 1984 to present. As set

forth more fully in CAL's October 28, 1997 Motion to Quash this subpoena, this time period far exceeds the scope of the even potentially relevant time period for FEC enforcement purposes under the applicable statute of limitations. In accordance with the agreement CAL reached with Commission staff for responding to this subpoena (see attached letters from Margaret Ackerley to Nancy Bell, dated December 2, 1997 and December 3, 1997), CAL here produces responsive information and documents where such exist going back to November 1992 for Interrogatories 2, 3, 4 and 6 and Document Requests 1, 3, 4 and 7 and back to January 1984 for all other Interrogatories and Document Requests.

3. CAL objects to the definitions of "you" and to the definition of "Document" as it incorporates the term "you," to the extent that such definitions seek to include agents or attorneys of CAL. The definitions are overly broad, unduly burdensome, oppressive, vexatious, and may request the production of irrelevant documents or call for documents not in the possession, custody, or control of CAL. As set forth below, CAL also objects to these definitions to the extent they would require disclosure of privileged documents.

4. CAL objects to the definition of "Persons" and to each question and document request incorporating the definition of "Persons" to the extent that it refers to any entity other than CAL or seeks to require CAL to search for documents relating to people or entities of which CAL may have no knowledge. The

definition of "person" is vague, ambiguous, overly broad, unduly burdensome, oppressive, vexatious, and may request the production of irrelevant documents or call for documents not in the possession, custody, or control of CAL.

5. CAL objects to the definition of "documents" and to each document request incorporating such definition to the extent that it is inconsistent with or seeks to alter or expand the requirements of the Federal Rules of Civil Procedure.

6. CAL objects to each request if and to the extent that it requests the production of documents protected against disclosure by the attorney-client privilege, the work product doctrine, or any rule of privilege, confidentiality, or immunity provided by law. CAL further objects to each document request to the extent that it requests documents the production of which would violate the privacy rights of individuals, confidentiality agreements, or that would result in the disclosure of confidential commercial information, trade secrets, or proprietary information. Moreover, CAL construes each document request not to request legal memoranda, drafts of pleadings, attorney notes, communications between CAL and its counsel, communications between counsel and experts retained to assist counsel, communications between counsel, or other documents and communications that were generated or gathered by or for counsel after receipt of the Federal Election Commission's December 6, 1996 "reason to believe" letter.

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7. In responding to these questions and document requests, CAL does not waive the foregoing objections or the specific objections that are set forth in the responses to particular requests. In addition, CAL does not concede by responding that the answers or documents sought or produced are relevant to the subject matter of this action or are calculated to lead to the discovery of admissible evidence. CAL expressly reserves the right to object to further discovery into the subject matter of these requests and the right to object to the introduction into evidence of any documents produced in response to these requests.

#### RESPONSES AND SPECIFIC OBJECTIONS

CAL incorporates its General Objections by reference into each response as though fully set forth therein, and no response shall be construed to waive any of those General Objections.

##### Question No. 1:

Identify the "approximately ten employees" who were seconded to Longevity International Enterprises Corp. ("Longevity") by CAL. Give the nationality, U.S. visa status (if applicable), place of employment, title and job description of each individual identified.  
[January 1984 - present.]

##### Response to Question No. 1:

Without waiving and subject to its General Objections, CAL states that the following employees were seconded to

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Longevity by CAL: Mr. Chun-I Hsu, Mr. Chang-Jung Tuan, Mr. Karl Wang Chih-Ping, Mr. Ban-Chyuan Wang, and Mr. Shen Lee.

Each of the individuals listed above was a citizen of the Republic of China, and each held an E-1 Working Visa and was employed in Honolulu, Hawaii. Messrs. Chun-I Hsu and Chang-Jung Tuan served as General Manager of the Cultural Plaza. Mr. Karl Wang Chih-Ping served as Deputy General Manager and as General Manager of the Cultural Plaza. Messrs. Ban-Chyuan Wang and Shen Lee were Account Managers for the Cultural Plaza.

Question No. 2:

Identify all of Longevity's shareholders, managers, supervisors and directors who have held or who presently hold managerial or supervisory positions in CAL. Give the nationality, U.S. visa status (if applicable), place of employment, title and job description of each individual identified. [November 1992 - present.]

Response to Question No. 2:

Without waiving and subject to its General Objections, CAL states that to the best of CAL's knowledge, none of its present or former managers or supervisors are shareholders, managers, supervisors or directors of Longevity.

Question No. 3:

Identify all previous and/or current shareholders, managers, supervisors, and directors of CAL who hold or held positions at Longevity. [November 1992 - present.]

Response to Question No. 3:

Without waiving and subject to its General Objections, CAL states that, within the applicable time period, Mr. Karl Wang Chih-Ping and Mr. Shen Lee are present or former shareholders, managers, supervisors or directors of CAL who hold or held positions at Longevity.

Question No. 4:

Identify all loans and/or transfer of funds from Longevity to CAL or from CAL to Longevity. [November 1992 - present.]

Response to Question No. 4:

Without waiving and subject to its General Objections, CAL states that there were no loans and/or transfers of funds from Longevity to CAL or from CAL to Longevity.

Question No. 5:

Indicate whether the following individuals held or presently hold a position at CAL. Provide the nationality, U.S. visa status (if applicable), current place of employment, and title and job description at CAL for each individual indicated:

- a. Szeto Fu
- b. Chang Lin-Teh
- c. Chi-Tao Shan
- d. Sherman S.M. Wang
- e. Jen Fie Tun
- f. Chock Tong Wong
- g. Stanley S.C. Huang

[January 1984 - present.]

Response to Question No. 5:

Without waiving and subject to its General Objections, CAL states that the following individuals named above held positions at CAL:

<u>Name</u>	<u>U.S. Visa Status</u>	<u>Title and Job Description at CAL</u>
Mr. Lin-Teh Chang	N/A	President
Mr. Chi-Tao Shan	N/A	Vice President
Mr. Stanley S.C. Huang	Working Visa, E-1	Various positions, retired as Regional Director, the Americas

Each of these individuals was a citizen of the Republic of China. CAL is unaware of the current place of employment of these individuals.

Question No. 6:

Identify each person answering these questions, the length of time that he or she has been associated with the respondent, and all positions held with the respondent. Give the nationality, U.S. visa status (if applicable), place of employment, title and job description of each individual identified. [November 1992 - present.]

Response to Question No. 6:

Without waiving and subject to its General Objections, CAL states that the person answering these questions is Mr. T.S. Chang, who has been employed by CAL since May 1, 1967. He is currently the Regional Director, the Americas; his former positions at CAL include: Passenger Service Manager, Tokyo; Deputy Airport Manager for Guam office; Sales Manager for Tokyo

office; Airport Manager for Tokyo office; Deputy Director of Japan regions; General Manager for Honolulu office; and Regional Director, Japan. Mr. Chang is a citizen of Japan. He is a permanent resident of the United States, employed by CAL in Los Angeles.

Document Request No. 1:

Provide all documents in your possession relating to Longevity. [November 1992 - present.]

Response to Document Request No. 1:

Without waiving and subject to its General Objections, CAL states that it has and will provide a copy of Longevity's "By-Laws," which can be found at pages 000013-000038 (pages 000001-000012, which CAL produced in response to the Commission's first subpoena to CAL (which accompanied its December 6, 1996, reason to believe letter) are the pages of a brochure promoting the Cultural Plaza.)

Document Request No. 2:

Provide all documents relating to any agreements or contracts which evidence the arrangement whereby CAL seconded employees to Longevity. [January 1984 - present.]

Response to Document Request No. 2:

Without waiving and subject to its General Objections, CAL states that it has no documents relating to any agreements or



contracts which evidence the arrangement whereby CAL seconded employees to Longevity.

Document Request No. 3:

Provide all documents in your possession relating to CAL's involvement in the leasing of any space at the Chinatown Cultural Plaza Shopping Center ("Cultural Plaza"), including but not limited to all documents relating to CAL's involvement in the leasing by Fasi of space at the Cultural Plaza. [November 1992 - present.]

Response to Document Request No. 3:

Without waiving and subject to its General Objections, CAL states that CAL was not involved in the leasing of any space at the Cultural Plaza and it therefore has no documents relating to CAL's involvement in the leasing of any space at the Cultural Plaza.

Document Request No. 4:

Provide all documents relating to any involvement by any personnel, officers, or directors of the Holiday Inn, Waikiki (formerly known as the Hawaii Dynasty Hotel) in the leasing of space at the Cultural Plaza by Longevity, including but not limited to all documents relating to any involvement by any personnel, officers, or directors of the Holiday Inn, Waikiki in the leasing by Fasi of space at the Cultural Plaza. [November 1992 - present.]

Response to Document Request No. 4:

Without waiving and subject to its General Objections, CAL states that it has no documents relating to any involvement by any personnel, officers, or directors of the Holiday Inn,

Waikiki in the leasing of space at the Cultural Plaza by Longevity, by Fasi, or by any other party.

Document Request No. 5:

Provide all documents relating to any involvement by Hsu Chun-I, Louis C.L. Chang, and Karl C.P. Wang in the leasing of space at the Cultural Plaza by Fasi. [January 1984 - present.]

Response to Document Request No. 5:

Without waiving and subject to its General Objections, CAL states that it has no documents relating to any involvement by Hsu Chun-I, Louis C.L. Chang, and Karl C.P. Wang in the leasing of space at the Cultural Plaza by Fasi.

Document Request No. 6:

Provide all documents evidencing arrangements and/or agreements for the transferring or seconding of funds, resources, and/or personnel between Longevity and CAL. [January 1984 - present.]

Response to Document Request No. 6:

Without waiving and subject to its General Objections, CAL states that it has and will provide copies of interoffice announcements made by CAL of the seconding of personnel to Longevity, which can be found at pages 000039-000042. Note that these documents, which are in Chinese, have English translations at the bottom provided by Mr. T.S. Chang for the Commission's benefit in reviewing the documents. CAL states that it has no documents evidencing arrangements and/or agreements for the

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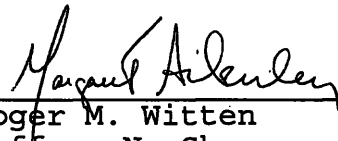
transferring or seconding of funds or resources other than personnel between Longevity and CAL.

Document Request No. 7:

Provide all documents which refer to any loans and/or transfer of funds from Longevity to CAL and/or from CAL to Longevity. [November 1992 - present.]

Response to Document Request No. 7:

Without waiving and subject to its General Objections, CAL states that it has no documents which refer to any loans and/or transfer of funds from Longevity to CAL and/or from CAL to Longevity.



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